

REMARKS

This Amendment is being filed in response to the Office Action mailed on May 20, 2004, and is timely filed. This Amendment is accompanied by a Request for Continued Examination (RCE) and payment of the associated fee. Claims 1-30 and 32-60 are currently pending in this application and stand rejected. The rejections are summarized in the table that follows this Remarks section. Applicants respectfully request reconsideration and allowance of the pending claims in the present application in view of the amendments and remarks below.

Claim No.	§102 Karfiol	§102 Brinley	§103 Karfiol	§103 Karfiol + Aizawa	§103 Karfiol Aizawa Araki	§103 Karfiol Brinley	§103 Brinley Aizawa	§103 Brinley Karfiol	§103 Brinley Aizawa Araki
1	X	X							
2	X	X							
3	X	X							
4			x		X	X			X
5		X		X			X		
6		X		X			X		
7				X			X		
8				X	X		X		X
9	X	X		X			X	X	
10				X			X		
11				X			X		
12				X			X		
13	X	X							
14		X		X			X		
15		X		X			X		
16	X	X		X				X	
17	X	X						X	
18	X	X						X	
19	X	X						X	
20	X	X						X	
21	X							X	
22	X	X						X	
23	X	X						X	
24		X	x			X		X	
25			x			x			
26	x						X		
27		X		X			X		
28		X		X			X	X	
29				X			X		
30				X			X		
31									
32		x		X			X		
33				X			X		
34				X			X		
35							X		

Claim No.	§102 Karfiol	§102 Brinley	§103 Karfiol	§103 Karfiol + Aizawa	§103 Karfiol Aizawa Araki	§103 Karfiol Brinley	§103 Brinley Aizawa	§103 Brinley Karfiol	§103 Brinley Aizawa Araki
36				X			X	X	
37				X			X	X	
38				X			X	X	
39				X			X	x	
40				X			X		
41				X			X		
42				X			X		
43				X			X		
44				X			X		
45				X			X		
46				X			X		
47				X			X		
48				X	X		X		X
49				X			X		
50				X	X		X		X
51				X	X		X		X
52				X	X		X		X
53				X	X		X		X
54				X	X		X		X
55				X	X		X		X
56				X	X		X		X
57				X	X		X		X
58				X	X		X		X
59				X	X		X		X
60				X	x		X		X

Applicants traverse these rejections and request reconsideration in view of the Amendments and Remarks herein.

The Examiner has rejected numerous claims under 35 U.S.C. §112. Applicants have amended those claims objected to, that were not canceled, in accordance with the Examiner's recommendations. Accordingly, Applicants respectfully request a withdrawal of these rejections.

The Examiner has based the above rejections on the following references alone or in combination.

Karfiol (U.S. Patent No. 2,477,300) discloses a method for making decorative shelf edging. FIG. 1 shows a backing stock 1 is fed through printing rolls P and P' and then onto conveyor 2. A plastic layer 7 is then deposited onto layer 1. Then this laminate is brought into engagement with facing layer 9. This laminate of backing stock 1, plastic layer 7 and facing layer 9 are then embossed with embossing roll 11 and indenting roll 4. The rolls 4 and 11 can be

heated but sometimes with certain plastics the heat of the rolls will be sufficient to accomplish the desired results (Col. 2, lines 43-47). The resulting embossed laminate is for making decorative shelf covering and other ornamental articles.

Brinley (U.S. Patent No. 5,232,535) discloses a process for preparing embossed, coated paper. The process shown schematically in FIG. 1 has a web of paper 1 advancing from a supply roll (not shown) that is brought into engagement with a web of plastic 5 taken from supply roll 6 and joined together with a molten material 9 supplied by an extrusion T-die 8 and then this composite is pressed between an embossing roll 7 and a nip roll 4. The embossing roll 7 is an engraved chill roll. The resulting laminate is suitable for forming simulated Corinthian and Montana grain leather surfaces useful for manufacturing interior automotive decorative panels (Col. 4, lines 43-47).

Aizawa discloses a method for extrusion laminating a base film B with a molten sheet A formed by coextruding layers 10a and 10b. The molten material is embossed with a chilled embossing roller while being laminated to the base material (Col. 7, lines 15-35, and FIG. 2). *Aizawa* does not disclose joining a first non-molten sheet to a second non-molten sheet with a molten material, and, therefore, does not anticipate any of the claims. Further, because *Aizawa* discloses extrusion coating of a base material with a molten material it teaches away from bringing a first non-molten sheet into alignment with a second non-molten sheet as is required by the claims. Thus, *Aizawa* does not render the claims obvious.

Araki discloses a resin composition suitable for a lamination process and laminated material suitable for forming bags for solid, liquid and gas [234].

None of these references taken alone anticipate the claims as amended and none of the references combined render the claims obvious. Each of the claims as amended recite a method for treating the surface of a film which is suitable for fabricating a fluid container. The method further includes the step of utilizing a chill roll to form fluid pathways on an outer layer of the film to assist in removing fluid from the outer surface. Neither *Karfiol* nor *Brinley* disclose these limitations, and, therefore do not anticipate the claims.

Further, because *Karfiol* is directed to manufacturing decorative shelf edging there would be no motivation to use this material or method to form a fluid container having fluid pathways to assist in removing fluid from the surface. Thus, *Karfiol* taken alone does not render the claims obvious.

Similarly, *Brinley* is directed at manufacturing polymer coated paper material for fabricating decorative automobile panels. There is no suggestion or motivation within *Brinley* to use its laminate or method to fabricate a fluid container with a film having a textured surface.

Further, none of the combination of references renders the claims obvious. *Karfiol* cannot be properly combined with *Brinley* as the first requires a heated embossing roll while *Brinley* discloses using a chilled embossing roll. Thus, these references teach away from one another, and, therefore, cannot be properly combined.

Karfiol also cannot be combined with *Aizawa* as *Karfiol* requires a heated embossing roll and *Aizawa* discloses a chilled embossing roll. Thus, these references teach away from one another, and, therefore, cannot be properly combined.

Brinley cannot be properly combined with *Aizawa*. *Brinley* is limited to attaching a web of paper to a web of polymeric material with an extruded material. *Aizawa* discloses extrusion laminating a molten material onto a base material while embossing the molten material. There is no disclosure or motivation within *Aizawa* of adding an additional layer on top of its molten layer opposite the base material. *Aizawa* discloses that it obtains good pattern retention by its embossing roll contacting the molten layer before the molten layer cools (col. 6, lines 41-43). Thus, there is no reasonable likelihood this combination of references would work for its intended purpose. Further, even if the references are combined there is no motivation to form a film suitable for forming a fluid container having fluid pathways on the surface for assisting in removing fluids from the surface of the film. Accordingly, the Examiner has failed to present a prima facie case of obviousness.

Finally, by adding *Araki* to any of the above combinations does not overcome the deficiencies in the references. While *Araki* discloses a method for laminating a film to fabricate a container there is no motivation within *Araki* to texture a surface of its films. Further, there is no reasonable likelihood that such combination would be successful. It is not clear from these references whether texturing a surface of a film of an *Araki* container would lead to fluid leaks in the container or not. Thus, the Examiner has failed to present a prima facie case of obviousness.

Conclusion

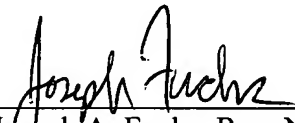
In view of the foregoing, Applicants submit the claims are in condition for allowance and respectfully request an early notice of the same.

Respectfully submitted,

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BY



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